

In re Patrick A. COSTELLO, Application No. 10/684,282
Amendment A

REMARKS

In response to the Office action dated April 27, 2007, please enter the amendments and consider the following remarks presented herein. Reconsideration and/or further prosecution of the application is respectfully requested.

Applicant appreciates the thoughtful examination of this application, including determining that no prior art rejections were warranted as evidenced by there being none presented in the Office action after consideration of the best prior art references available as required by MPEP § 706 and 37 CFR 1.104(c)(2).

Applicant has taken this opportunity to amend the preamble to claim 7 to a currently preferred wording. No new matter is added.

In response to the nonstatutory double patenting rejection based on US Patent 7,184,443, Applicant has elected to file a terminal disclaimer to remove this issue for business reasons. Applicant does not concede that such a rejection is appropriate. However, it is much more economical to merely file the terminal disclaimer and pay the \$130 fee, rather than incur the additional fees, expenses, and delays in addressing this issue in another manner. As such, the filing of the terminal disclaimer renders the nonstatutory double patenting issue moot, and Applicant believes places the case in condition for allowance and issuance.

Final Remarks. In view of the above remarks and for at least the reasons presented herein, all pending claims are believed to be allowable over all prior art of record, the application is considered in good and proper form for allowance, and the Office is respectfully requested to issue a timely Notice of allowance in this case. Applicant requests any and all rejections and/or objections be withdrawn. If, in the opinion of the Office, a telephone conference would expedite the prosecution of the subject application, the Office is invited to call the undersigned attorney, as Applicant is open to discussing, considering, and resolving issues.

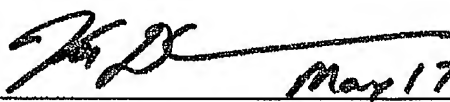
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Applicant believes no extension of time is required. Should an extension of time be deemed appropriate, Applicant hereby petitions for such deemed extension of time. Applicant further authorizes the charging of Deposit Account No. 501430 for any fees that may be due in connection with this paper (e.g., claim fees, extension of time fees).

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: May 17, 2007

By


May 17, 2007
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